I am writing in response to the FCC request for public comment on questions to be discussed by the Spectrum Policy Task Force, ET Docket No. 02-135.

There is one bright segment of the IT industry, which is succeeding in spite of there being a hostile regulatory policy to its, existence, that being the wireless internet broadband industry. Not to be confused with ventures of nationwide companies, which are failing in record numbers, but small, entrepreneurial, creative and very inventive small ventures, which are attempting to fill a public need and market demand for reasonably priced broadband service.

Ultimately, the policy of auctioning off spectrum segments to single, large ventures has had the opposite effect. It has effectively halted the deployment of these services in the spectrum purchased for that purpose.

I submit that what is needed is a new, publicly accessible set of spectrum segments which are restricted to the suitable purposes of distribution, transmission, and connectivity of wireless broadband.

Present policy contains insufficient spectrum segments for the needs of this industry - the greatest of which is for point to multipoint distribution of broadband in a non line of sight setting. In order for this to be effective, it should be "registered use" where it is possible to determine before deployment how to avoid interference between competitive enterprises, and should use appropriate technologies, such as adapative FHSS which will allow many operators within a single geographic area, and those who deliberately interfere can be removed or disciplined with relative little resources, since an analysis of the registered users will show systems out of compliance.

The present use of unlicensed (part 15) spectrum is what has allowed this healthily competitive and cost-effective industry of small ventures to flourish, and should not be abanded or prohibited. Overall, this new spectrum, if publicly available (not owned), should allow sufficient power for effective deployment, as well as flexibility in deployment - requiring certification only of individual components, not entire devices / systems, to allow mix and match between vendors / components to best serve the infinite variety of deployment scenarios. It should complement, not replace, the present use of Part15 spectrum segments, and eventual migration to it will relieve congestion on already crowded Part15 spectrum segments.

I, as a startup wireless broadband provider in a very rural area, see this as one of the most significant possible developments in the effort to bring technological change and bridging of the digital divide so much lamented in our rural areas. The concepts presented in this response would be the single most effective new tool in existence in enabling industry to provide services. It would also be one of the most signifcant incentives for developers to produce products specifically designed for working in a regulatory framework designed for one of the most significant leaps forward in communication of the new millenium.

It is imperative to the success of this idea, that the regulatory framework be designed to encourage use and re-use of the same spectrum segments within a single area to promote and encourage competition and to prevent monopolization of a market by a single spectrum owner. This present environment of many small and extremely flexible and creative ventures is the key to its present success and will be the key to any future success of making access as universal as possible. This flexibility has created an environment where markets as small as a city block, or an unincorporated rural community, or as large as a significant portion of a state, can all be served by stable, affordable service provided by a financially sound venture.